

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TREVOR RINGGOLD,	)	
	)	Civil Action No. 11 – 974
Plaintiff,	)	
	)	District Judge Arthur J. Schwab
v.	)	Chief Magistrate Judge Lisa Pupo Lenihan
	)	
C.O. MATTHEW KELLER,	)	
SUPERINTENDENT BRIAN	)	
COLEMAN, JOHN AND/OR JANE	)	
DOES 1-9,	)	
Defendants.		

**MEMORANDUM ORDER**

Plaintiff, Trevor Ringgold (“Plaintiff”) is a state prisoner who is currently incarcerated at the State Correctional Institution at Albion, Pennsylvania. Plaintiff, through counsel, commenced this action on July 27, 2011, against the following individuals employed at the State Correctional Institution at Fayette: Correctional Officer Matthew Keller, Superintendent Brian Coleman, and John or Jane Does 1-9.

On October 24, 2011, Defendant Superintendent Brian Coleman filed a Motion to Dismiss. (ECF No. 6.) Magistrate Judge Lisa Pupo Lenihan entered a Report and Recommendation on April 28, 2012, recommending that the Motion to Dismiss be denied without prejudice as to Defendant Coleman’s contention that Plaintiff failed to exhaust his administrative remedies pursuant to the Prison Litigation Reform Act and that the motion be denied as to his contention that Plaintiff has failed to establish the requisite personal involvement necessary to establish a claim under 42 U.S.C. § 1983. (ECF No. 19.) The parties were given

until May 7, 2012 to file Objections to the Report and Recommendation. No Objections were filed.

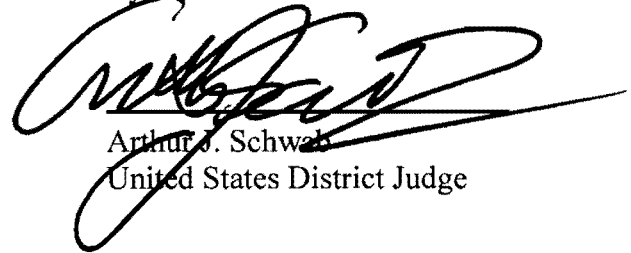
After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered.

**AND NOW**, this 16<sup>th</sup> day of May, 2012,

**IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendant Brian Coleman (ECF No. 6) is denied without prejudice as to Defendant Coleman's contention that Plaintiff failed to exhaust his administrative remedies pursuant to the Prison Litigation Reform Act and is denied as to his contention that Plaintiff has failed to establish the requisite personal involvement necessary to establish a claim under 42 U.S.C. § 1983.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 19) dated April 18, 2012, is **ADOPTED** as the opinion of the Court.

By the Court:



Arthur J. Schwab  
United States District Judge

cc: All counsel of record.